

SENATE BILL REPORT

ESHB 1004

As Reported by Senate Committee On:
Environment, Water & Energy, March 25, 2009

Title: An act relating to adding products to the energy efficiency code.

Brief Description: Adding products to and removing products from the energy efficiency code.

Sponsors: House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Chase, Morrell, Upthegrove, Hudgins and Moeller).

Brief History: Passed House: 2/20/09, 76-18.

Committee Activity: Environment, Water & Energy: 3/13/09, 3/25/09 [DPA, DNP].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass as amended.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford, Ranking Minority Member; Fraser, Hatfield, Marr, Morton and Ranker.

Minority Report: Do not pass.

Signed by Senators Delvin and Holmquist.

Staff: Sam Thompson (786-7413)

Background: Washington law sets minimum energy efficiency standards for certain electrical products sold, offered for sale, or installed in the state, including:

- automatic commercial ice cube machines, commonly used in motels and restaurants;
- commercial clothes washers, commonly used in apartments and coin laundries;
- commercial pre-rinse spray valves, commonly used in restaurants to remove food residue from plates;
- commercial refrigerators and freezers, commonly used in large institutional kitchens;
- metal halide lamp fixtures, commonly used to illuminate industrial buildings and gymnasiums;
- single-voltage external AC to DC power supplies, devices enabling battery-operated appliances to use power from electrical outlets;
- certain incandescent reflector lamps, such as light bulbs typically used in recessed can lights; and
- commercial space heaters using natural gas or propane.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Some of the foregoing standards were preempted by federal law enacted in the Energy Independence and Security Act of 2007 (Pub. L. 110-140), which established national efficiency standards for several appliances.

It is suggested that state energy efficiency standards be established for certain electrical products not currently addressed in either state or federal law, and that state standards preempted by federal law be deleted.

Summary of Bill (Recommended Amendments): Minimum efficiency standards are established for the following electrical products manufactured on or after January 1, 2010, that are sold or offered for sale in the state:

- wine chillers designed for use by an individual;
- hot water dispensers and mini-tank electric water heaters;
- bottle-type and point-of-use water dispensers;
- pool heaters, residential pool pumps, and portable electric spas;
- tub spout diverters; and
- commercial hot food holding cabinets.

These products may not be installed for compensation in the state on or after January 1, 2011, unless they meet the standards.

Technical efficiency standards for the products are adapted from provisions in the California Administrative Code.

Efficiency standards for commercial clothes washers, commercial pre-rinse spray valves, metal halide lamp fixtures, single-voltage external AC to DC power supplies, and commercial space heaters are removed from state law due to federal preemption.

EFFECT OF CHANGES MADE BY ENVIRONMENT, WATER & ENERGY COMMITTEE (Recommended Amendments): A striking amendment makes the following technical changes: (1) the title is amended to "An act relating to revising the energy efficiency code," a broader title encompassing the bill's deletion of certain products from the energy efficiency code; (2) rather than transcribing efficiency standards and testing methods from the California Code of Regulations, provisions are adopted by reference as of the effective date of the act; (3) several definitions of terms relating to products referred to in the bill are provided; and (4) several definitions of terms relating to products that are deleted from the energy efficiency code by the bill are deleted from current law.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Amended Engrossed Substitute House Bill:

PRO: Establishing energy efficiency standards for the products in this bill will deliver energy savings to consumers and assist the state in meeting climate action goals. The bill should be revised to include standards for consumer products that have been adopted by California, New York, and Oregon.

OTHER: The Consumer Electronics Association opposes adding standards for other products to this bill. Products should meet voluntary Energy Star efficiency standards.

Persons Testifying: **PRO:** Carrie Dolwick, Northwest Energy Coalition.

OTHER: Charlie Brown, Consumer Electronics Association.